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SUBJECT: UPDATE ON JAILED AMCIT DISSIDENT NGUYEN QUOC QUAN

Ref: 07 HCMC 1184

¶1. (SBU) Summary: Amcit Nguyen Quoc Quan, jailed in November 2007, is still "under investigation" and has yet to be charged. Meanwhile, a prospective defense lawyer has reported receiving threatening messages warning him not to represent Dr. Quan. The Ambassador raised Dr. Quan's case again with Vice Foreign Minister Pham Binh Minh on February 20. End summary.

¶2. (SBU) Dr. Nguyen Quoc Quan was arrested on November xx, 2007 while trying to leave the country. He apparently was using a false Cambodian travel document to cross the Vietnam-Cambodia border. Dr. Quan, a member of the Viet Tan organization, had earlier participated in peaceful anti-regime activities in Ho Chi Minh City. Others were arrested there, including another American citizen and a French national, who have both been released and allowed to leave Vietnam.

¶3. (SBU) The Ambassador raised the case of jailed Amcit Nguyen Quoc Quan (Reftel) again with Vice Foreign Minister Pham Binh Minh on February 20. The Ambassador noted unconfirmed reports that Vietnamese authorities intend to quickly try Dr. Quan and expel him from the country. Noting intense interest in the United States in Dr. Quan's case, and our belief that Dr. Quan's political activities were peaceful in nature, the Ambassador underscored that Dr. Quan's release would not only be the right thing to do, but would also prevent his incarceration from negatively affecting the bilateral relationship. Minh responded that, while the investigation is ongoing, the GVN also wants to finish it as soon as possible as they do not want to have the case "unresolved." The Ambassador noted that Dr. Quan's wife had asked to see him in prison and that, while we know this is not normally permitted during the investigation period, we requested that she be granted access on humanitarian grounds.

¶3. (SBU) Nguyen Quoc Quan's wife informed Mission Vietnam that she had asked lawyer Dang Dung to represent her husband. Immediately after the Consulate contacted Mr. Dung regarding power of attorney and paperwork issues, Mr. Dung reported receiving threatening SMS/text messages. In his discussion with us, Dung indicated these messages included threats to his life and that of his son if he were to represent Nguyen Quoc Quan in court. A friend of Dung's called the number from which the text message was transmitted and spoke with an unidentified man for 20 minutes, assessing the unknown interlocutor as "not as a mafia thug but part of an unknown professional organization." Dung was visibly shaken and confirmed that, because of the threats, he will not represent Nguyen Quoc Quan.

¶4. (SBU) Comment: Given that the second Amcit involved in this case has already been released, it seems clear that Dr. Quan's use of false travel documents is complicating what we believe are efforts by some in the GVN to see him expelled. The threats to attorney Dung are extremely troubling, and Mission Vietnam will be seeking opportunities to protest these actions without further complicating his situation.

5 (U) This cable was coordinated with ConGen HCMC.

MICHALAK